

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Michael STANEK et al. :  
Serial No. NEW : **Attn: APPLICATION BRANCH**  
Filed January 15, 2004 : Attorney Docket No. 2003\_1861A

PROCESS FOR THE CONTINUOUS DRYING  
OF POLYMERS CONTAINING N OR AMINO,  
AMMONIUM OR SPIROBICYCLIC AMMONIUM  
GROUPS

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449.

A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed.

- 1a. ☒ This Information Disclosure Statement is submitted:
- within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**
- before the mailing date of the first Office Action on the merits,
- and thus no certification and/or fee is required.**
- 1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.


4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

a. ☐ a full or partial English language translation submitted herewith,

- b. ☐ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page ,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A translation of the relevant parts of a foreign (Austrian) patent office action citing one or more of the references is enclosed.

Respectfully submitted,

Michael STANEK et al.

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January 15, 2004

**Information Disclosure Statement**  
**O.Z.1222**

A) The following is a translation of the relevant parts of the Austrian Official Action:

From AT 409 630 (DSM Fine Chemicals Austria Nfg GmbH & Co KG) 25. September 2002 (equivalent to US 10/432,218), processes for alkylating cross linked N- respectively amino-, ammonium- or spirobicyclic ammonium groups containing polymers are known.

Further a washing process for purification of N- respectively amino- or ammonium groups containing polymers is described in AT 409 629 B (DSM Fine Chemicals Austria GmbH) 25.09.2002 (equivalent to US 10/362,512).

The present patent application A 42/2003 refers to a process for the continuous drying of N- respectively amino-, ammonium- or spirobicyclic ammonium groups containing polymers with a gaseous medium in a fluidized bed.

Since the production as well as the purification (by washing) of these polymers have been known per se at the time of filing and since after washing usually a drying step follows, the question arises, in how far this patent application let have inventive steps, the less so since drying in fluidized beds as known gentle drying procedure for temperature sensitive compounds seems to be the best choice.

See for example DE 31 35 329 (BASF AG, 24.03.83) (equivalent to US 4,519,961) and DE 196 23 410 (BAYER AG, 18.12.97) (equivalent to US 5,917,081 respectively US 5,955,036).

Since no inventive steps have been necessary to dry a known polymer with a known process, it can therefore not be calculated with the grant of a patent.

FORM PTO 1449 (modified)

ATTY DOCKET NO.  
2003\_1861ASERIAL NO.  
NEWU.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: January 15, 2004

APPLICANT  
Michael STANEK et al.FILING DATE  
January 15, 2004

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,955,036	9/1999	Seyffert et al.			
	AB	5,917,081	6/1999	Seyffert et al.			
	AC	4,519,961	5/1985	Schumacher et al.			
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
	AJ	409629	9/2002	Austria				
	AK	409630	9/2002	Austria				
	AL							
	AM							
	AN							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
	AQ	

EXAMINER

DATE CONSIDERED